

House File 154 - Introduced

HOUSE FILE 154
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A BILL FOR

1 An Act concerning a policy for the vending of publications at
2 rest areas and establishing a fee.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 314.30 Publication vending at rest
2 areas.

3 1. The department shall establish and implement a policy for
4 the placement of publication vending equipment at a rest area,
5 as defined in section 306C.10, that may include reasonable
6 requirements regarding the following:

7 a. The size, shape, and appearance of publication racks
8 supplied by a vendor.

9 b. Standards for regular maintenance of publication racks
10 supplied by a vendor.

11 c. Requirements for installation of publication racks,
12 including acceptable methods for anchoring of equipment.

13 d. Location of publication racks within a rest area. In
14 allotting an area for the location of publication racks, the
15 department shall give primary consideration to the safety of
16 pedestrians and vehicles; the unobstructed flow of pedestrian
17 traffic; the aesthetic qualities inherent in the design of
18 the rest area; and the public's access to and enjoyment of
19 amenities within the rest area including but not limited to
20 restroom facilities, drinking fountains, food and beverage
21 vending machines, information centers as defined in section
22 306C.10, and picnic and recreation facilities.

23 2. The department shall establish an annual fee for the
24 placement of a publication rack at a rest area. The fee shall
25 be designed to cover the cost of administering this section,
26 not to exceed five hundred dollars per publication rack at a
27 single rest area.

28 3. A person desiring to place a publication rack at a rest
29 area shall make application to the department in a manner
30 approved by the department. Upon approval of the application
31 and payment of the proper fee, the department shall issue a
32 permit valid for one year.

33 4. In lieu of or in addition to prescribing requirements for
34 the installation of multiple publication racks within a rest
35 area, the department may require publications to be sold or

1 distributed from a combination rack or modular unit provided by
2 the department for the vending of multiple publications. The
3 vending of publications under this subsection shall be subject
4 to the fee and permit requirements under subsections 2 and 3.

5 5. The department may adopt rules as necessary to administer
6 this section. The rules may include but shall not be limited
7 to procedures for the issuance of multiple permits to a vendor
8 or for a single permit covering multiple locations, procedures
9 for permit renewals, and remedies for addressing violations of
10 the conditions of a permit.

11 6. For purposes of this section, "vending" includes both
12 sales and free distribution.

13 EXPLANATION

14 This bill establishes a uniform process for the sale or free
15 distribution of newspapers and other publications at rest areas
16 on interstates and primary highways by requiring publication
17 vendors to acquire a state permit and pay an annual fee.

18 The bill requires the department of transportation
19 to establish and implement a policy for the placement of
20 publication vending equipment at rest areas. The policy is
21 to include reasonable requirements for the size, shape, and
22 appearance of publication racks; standards for maintenance and
23 upkeep; installation and anchoring requirements; and location
24 requirements. A person who desires to place a publication rack
25 in a rest area must first apply to the department for an annual
26 permit and pay a fee established by the department to cover its
27 administrative costs, not to exceed \$500 per rack at a rest
28 area.

29 The bill provides an option for the department to install
30 combination racks or modular units for the vending of multiple
31 publications and require their use in place of individual
32 publication racks, subject to the same permit and fee
33 requirements applicable to individual rack placement.

34 The bill authorizes the department to adopt rules to
35 administer the provisions of the bill.